

Waste Tire Working Group
Meeting Notes
March 1, 2012

Call to Order:

The meeting of the Commonwealth of Kentucky Waste Tire Working Group (KY WTWG) was held in Frankfort, KY at 300 Fair Oaks Lane on March 1, 2012. The meeting convened at 9:31 a.m. Chairman, Tim Hubbard presiding.

Members in attendance:

Keith Brock, Mary Dickey, Chris Fitzpatrick, Tim Hubbard. John Roberts. All members were present.

Minutes from previous meeting distributed.

Request from audience to publish meeting notes to website.

Introduction of new chairman, Tim Hubbard, DWM Assistant Director; appointed by Tony Hatton.

Statement regarding recording of audio and typed notes due to past difficulties with notes. Minutes will continue to be recorded via typed notes with proposals, motions, agreements, etc. Terms of discussion and debate can be captured via audio recording. Copies of the minutes and audio recording will be provided to members via email or CD.

No vote was taken but all members agreed to proposed approach for handling meeting minutes and audio recording.

Meeting notes from last meeting reviewed.

- Request by Keith Brock to look at cost of transportation as part of grant to the counties. Division will bring to the next meeting ideas regarding including transportation costs in the \$3000 direct grant to counties. Minutes from the December 5, 2011 meeting will be amended to reflect the suggestion that was made at last meeting. Next meeting workgroup will have discussion on including tire transportation costs in direct grant monies to counties. Motion by Keith Brock to approve minutes as amended. Motion seconded by Chris Fitzpatrick. Motion passed as approved.

Old Business

- **Amended Fact Sheets Regarding Waste Tire Disposal**
 - Fact Sheets brought to previous meeting have been revised by Mary Dickey and Chris Fitzpatrick. Two Fact Sheets have not changed since the last meeting; Permittee and Storage & Transfer. Two Fact Sheets have changed; Consumer and Retailer Fact Sheets. A copy of all Fact Sheets distributed with redlines for changes and originals without changes for consideration.
 - Consumer and Retailer Fact Sheets:
 - Discussion regarding additional changes to the fact sheets to include “strongly encouraged” language. Also include “should” and remove “can”. For Retailers fact

sheet, change “should” to “shall” since it is a requirement and also change to contain reference to penalty.

- Retailer Notice:
 - Notice to state “require”.
- Storage & Transfer Requirements for Retailers and Permittees Fact Sheets: no changes
- Consensus of members to accept changes to the Fact Sheets and Retailer Notice and recommend Cabinet to adopt changes and post to website.

- **Discussion of Landfill Ban on Whole Tires**

- George Gilbert, DWM Environmental Engineer Consultant provided the history and rationale behind the landfill ban. Republic Landfill Co. and Waste Management, Inc. support ban, stating tires are not compactable. Tires float to the surface and take up landfill space. Requires more personnel to handle whole tires and they are a safety issue. There is additional cost to handle and process tires for disposal. Tri-K Landfill Co. charges \$10-\$20 per tire for disposal. Whole tires must be quartered or shredded, so there is a cost in processing prior to disposal in the landfill.
- Discussion regarding consideration of removing ban. This could possibly drive up costs. Private landfills can reject solid waste but county owned landfills have to accept solid waste.
- Some audience participants disagreed with comments from Mr. Gilbert.
- No action was taken by the Workgroup regarding the Landfill Ban, however Mary Dickey proposed that the Landfill Ban be discussed in future Workgroup meetings, which was agreed to by consensus of the Workgroup.

- **Waste Tire Report**

- Mary Dickey mentioned that the Workgroup did not get an opportunity to provide comments on the Waste Tire Report (Report) prior to DWM sending the Report to LRC on January 13, 2012. The Chairman offered the Workgroup an opportunity to provide comments or revisions to the Report and DWM will make revisions if necessary, and file an Amended Report. No changes were suggested to the Report.
- Mary Dickey made motion for all future Waste Tire Reports (Proposed Final Draft) to be reviewed by Working Group before submitting to LRC. Motion was seconded by Keith Brock.
 - Discussion: Schedule regarding timeline of submitting comments and revisions and filing Report with LRC will have to be worked out. Report must be to Legislature by January 15 of each year so comments will need to be submitted early enough to meet the deadline.
- Vote to accept motion. All Workgroup members agreed. Motion passed. Tim Hubbard

abstained from voting.

- Motion made to Recess by Tim Hubbard. Motion seconded by Chris Fitzpatrick. All members agreed. Motion passed.
- Call to order by Tim Hubbard.

New business

- **Response from Cabinet on WTWG Input and Advice Regarding a Core Fee for Waste Tires**
 - Copies of letter from Secretary Peters dated January 27, 2012 in response to the Workgroup's Advice and Input on Core Fee Proposal dated November 18, 2011. No other feedback has been received from Cabinet. There was some discussion on how this matter will be addressed or moved forward.
 - The concept of a core fee may be considered in future discussions by the Workgroup.
- **Discussion on Administration & Implementation of Alternative Methods for Controlling the Local Accumulation of Waste Tires from HB 433**
 - Chris Fitzpatrick opened the discussion by comparing and contrasting current process of Workgroup so far in evaluating waste tire issues by focusing on single problems or solutions, i.e., core fee, landfill ban, etc., versus an approach of looking at all possible alternative methods to control waste tire accumulation. Many of the methods of controlling waste tires relate to each other in some way, so it may be best to look at the methods and ideas together, identify the problems and solutions, prioritize them, and have stakeholders be involved in the process. This will take longer but will hopefully result in more buy-in from the group as a whole. Chris proposed that the Workgroup consider changing process to include the following steps:
 1. Identify stakeholders
 2. Invite stakeholders to meeting
 3. Description of current program
 4. Identify problems with current program (thorough discussion-real or perceived)
 5. Prioritize problems
 6. Discuss solutions
 - Example: If a proposal to have County Clerks collect the waste tire fee was being considered, and the County Clerks' representatives are in attendance as stakeholders, their concerns would be heard. Their concerns are known immediately and therefore can be evaluated against the needs of the waste tire program and other stakeholders. This is a typical process when vetting legislation.
 - No action taken on this item but there was consensus by members to review Issues paper

and process description. Next meeting will include an agenda item to discuss and decide how to proceed if everyone is in agreement with concept.

- Workgroup members asked to bring questions for all issues to address to next meeting. Workgroup can then decide what issue comes first and what group of stakeholders should be addressed first.
- Chris Fitzpatrick will email process discussed today to Workgroup and list of stakeholders mentioned in 1998 process before next meeting.
- Mary Dickey will email list of stakeholders from August 2010 Waste Tire Programming meeting to Workgroup before next meeting.
- Next meeting should be Monday, Tuesday or Wednesday preferably week of April 9th. Date not set.
- Motion to adjourn by Tim Hubbard, seconded by Chris Fitzpatrick. All members agreed. Meeting adjourned at 1:20 p.m.